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PATENT  
Atty. Dkt. No. WEAT/C-443

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kersey et al.

Serial No.: 09/726,059

Confirmation No.: 8667

Filed: November 29, 2000

For: Method and Apparatus for  
Interrogating Fiber Optic  
Sensors

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Group Art Unit: 2882

Examiner: Suchecki, K.

Customer No.: 36,735

Mail Stop PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

|  |   |
|--|---|
| CERTIFICATE UNDER 37 CFR 1.10  |   |
| I hereby certify that this correspondence and the documents referred to as attached therein are being deposited on <u>14 NOV 03</u> with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing label No. EV321682245US addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450. |   |
| <u>14 NOV 2003</u><br>Date   | <u>William B. Patterson</u><br>William B. Patterson |

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. 1.137(b)**

Applicants respectfully request the Commissioner to revive the above-captioned application under the provisions of 37 C.F.R. 1.137(b). The entire delay in filing a request for continued examination (RCE), a copy of which is enclosed, and expiration of the period for reply to the Final Office Action dated April 23, 2003, until the filing of this Petition with regard to this application was unintentional.

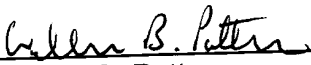
Applicants request that this application be revived in order to proceed with the prosecution of the application.

Kindly charge the Petition Fee under 37 C.F.R. 1.17(m) of \$1,330.00 to Deposit Account No. 20-0782/WEAT/0443/WBP. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

11/19/2003 HGBREH1 00000060 200782 09726059  
01 FC:1453 1330.00 DA

If the Examiner believes that there are any unresolved issues in this application, it is requested that the Examiner telephone the undersigned so that appropriate arrangements can be made for resolving such issues.

Respectfully submitted,

  
\_\_\_\_\_  
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Registration No. 34,102  
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Attorney for Assignee

NOV 14 2003

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of an utility or plant application  
Filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/726,059        |
| Filing Date            | November 29, 2000 |
| First Named Inventor   | Alan D. Kersey    |
| Group Art Unit         | 2882              |
| Examiner Name          | Krystyna Suchecki |
| Attorney Docket Number | WEAT/0443         |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. ☒ Previously submitted

#### i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 Previously filed on August 1, 2003

(Any unentered amendment(s) referred to above will be entered)

#### ii. ☐ Consider the arguments in the appeal brief or Reply brief previously filed on \_\_\_\_\_

#### iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

#### i. ☐ Amendment/Reply

#### ii. ☐ Affidavit(s)/Declaration(s)

#### iii. ☐ Information Disclosure Statement (IDS)

#### iv. ☒ Other Copy of Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.137(b)

## 2. Miscellaneous

### a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

### b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

### a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-0782/WEAT/0443/WBP

#### i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

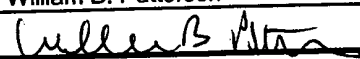
#### ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

#### iii. ☐ Other \_\_\_\_\_

### b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

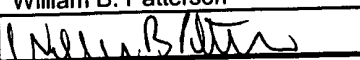
CUSTOMER NO. 36,735

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |   |                                   |             |
|-------------------|---|-----------------------------------|-------------|
| Name (Print/Type) | William B. Patterson  | Registration No. (Attorney/Agent) | 34,102      |
| Signature         |  | Date                              | 14 NOV 2003 |

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited on 14 NOV 2003 with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing label No. EV321682254US addressed to: Mail Stop RCE, Commissioner for Patents, Washington, D.C. 20231.

|                   |   |      |             |
|-------------------|---|------|-------------|
| Name (Print/Type) | William B. Patterson  | Date | 14 NOV 2003 |
| Signature         |  |      |             |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.